

FILED
GREAT FALLS DIV.

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PATRICK F. LEE, CLERK
BY _____
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

COLIN WILLIAM SMITH,

Plaintiff,

No. CV 05-120-GF-SEH

vs.

ORDER

ROOSEVELT COUNTY JAIL, JOHN
GRAINGER, and CARL STENOS,

Defendants.

On December 5, 2006, United States Magistrate Judge Carolyn S. Ostby entered Findings and Recommendation¹ in this matter. Plaintiff did not file objections. No review is required of proposed findings and recommendations to which no objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Ostby's Findings and Recommendation for clear error.

Upon *de novo* review of the record, I find no clear error in Judge Ostby's Findings and Recommendation and adopt them in full.

¹Docket No. 10.

ORDERED:

Plaintiff's Complaint is DISMISSED without prejudice.

FURTHER ORDERED:

The Clerk of Court is directed to enter on the docket that this dismissal counts as one strike for purposes of 28 U.S.C. §§ 1915(e)(2)(B), 1915(g).

DATED this 3rd day of January, 2007.


SAM E. HADDON
United States District Judge